

ORIGINAL

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FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

**LODGED** APR 25 2003  
 at 11 o'clock and 0 min. AM  
 WALTER A. Y. H. CHINN, CLERK  
 APR 24 2003  
 CLERK, U. S. DISTRICT COURT  
 DISTRICT OF HAWAII

Attorney for Defendants and  
 Third-Party Plaintiffs  
 Global Engineering & Construction  
 Joint Venture, Bankers Insurance  
 Company and OneBeacon Insurance  
 Company, f/k/a CGU Insurance  
 Company and Third-Party Counterclaim  
 Defendant Global Engineering &  
 Construction Joint Venture

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

United States of America for the  
 Use of BABTEX, INC., doing  
 business as OSLIN NATION  
 COMPANY,

Plaintiff,

vs.

GLOBAL ENGINEERING &  
 CONSTRUCTION JOINT  
 VENTURE; *et al.*,

Defendants.

Civil No. CV02-00691 SOM-BMK  
 Consolidated with:  
 Civil No. CV02-00560 HG-BMK  
 Civil No. CV02-00644 HG-BMK

**STIPULATION FOR PARTIAL  
 DISMISSAL WITH PREJUDICE  
 AS TO PLAINTIFF'S COMPLAINT  
 AGAINST DEFENDANTS  
 GLOBAL ENGINEERING &  
 CONSTRUCTION JOINT  
 VENTURE, GLOBAL  
 ENGINEERING &  
 CONSTRUCTION, INC.,  
 BANKERS INSURANCE**

GLOBAL ENGINEERING & CONSTRUCTION JOINT VENTURE; <i>et al.</i> ,	)	COMPANY AND OneBEACON INSURANCE COMPANY, f/k/a CGU INSURANCE COMPANY; and ORDER
	)	
Third-Party Plaintiffs,	)	
	)	
vs.	)	
	)	
LLOYD ELECTRIC CO., INC., doing business as Lloyd Electric; <i>et al.</i> ,	)	Judge: Hon. Susan Oki Mollway
	)	
	)	
Third-Party Defendants.	)	
	)	

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**STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE AS TO  
PLAINTIFF'S COMPLAINT AGAINST DEFENDANTS  
GLOBAL ENGINEERING & CONSTRUCTION JOINT VENTURE,  
GLOBAL ENGINEERING & CONSTRUCTION, INC.,  
BANKERS INSURANCE COMPANY AND OneBEACON  
INSURANCE COMPANY, f/k/a CGU INSURANCE COMPANY**

Come now Plaintiff United States of America for the Use of  
Babtex, Inc., doing business as Oslin Nation Company, and Defendants  
Global Engineering & Construction Joint Venture ("Global JV"), Bankers  
Insurance Company ("Bankers"), and OneBeacon Insurance Company,  
f/k/a CGU Insurance Company ("OneBeacon"), and pursuant to Rule 41(a)  
of the Federal Rules of Civil Procedure, hereby stipulate that Plaintiff's  
claims and causes of action asserted in the above-captioned matter against

Global JV, Bankers and OneBeacon be dismissed with prejudice, with costs of court to be paid by the party incurring the same. In addition, Plaintiff dismisses with prejudice its claim against Defendant Global Engineering & Construction, Inc. ("Global Inc."), which has not appeared in this case.

Global JV, Bankers and OneBeacon have filed a cross-claim against Global Inc., as well as a third-party complaint against Third-Party Defendants Lloyd Electric Co., Inc., doing business as Lloyd Electric, Robert E. Lloyd, Sr., Mona Renea Lloyd, William W. Harmon, Pamela Ann Harmon, Aaron D. Terry, Tammie M. Terry, Ronald L. Wiener and Vickey L. Wiener. Third-Party Defendant Lloyd Electric Co., Inc., dba Lloyd Electric has filed a counterclaim against Global JV. The cross-claim, third-party complaint and counterclaim remain pending. This stipulation has been signed by all appearing parties in Civil No. CV02-00691 SOM-BMK. By

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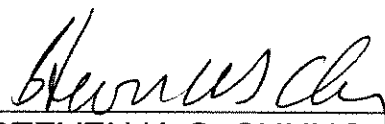
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United States of America for the Use of Babtex, Inc., dba Oslin Nation Company vs. Global Engineering & Construction Joint Venture, et al.; Civil No. CV02-00691 SOM-KSC: **STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE AS TO PLAINTIFF'S COMPLAINT AGAINST DEFENDANTS GLOBAL ENGINEERING & CONSTRUCTION JOINT VENTURE, GLOBAL ENGINEERING & CONSTRUCTION, INC., BANKERS INSURANCE COMPANY AND OneBEACON INSURANCE COMPANY, f/k/a CGU INSURANCE COMPANY, and ORDER**

executing this stipulation, the parties do not waive any defenses that they may have to the claims asserted or to be asserted in this action.

DATED: Honolulu, Hawai'i, April 24, 2003.

  
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KALE FELDMAN  
DANIEL T. KIM  
Attorneys for Use Plaintiff  
Babtex, Inc., doing business as  
Oslin Nation Company

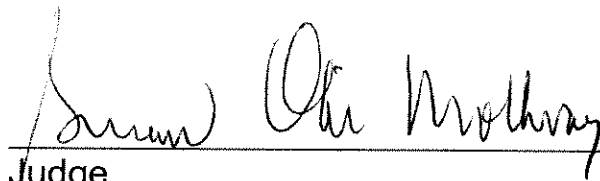
  
\_\_\_\_\_  
STEVEN K. S. CHUNG  
Attorney for Defendants and  
Third-Party Plaintiffs  
Global Engineering & Construction Joint  
Venture, Bankers Insurance Company  
and OneBeacon Insurance Company,  
f/k/a CGU Insurance Company  
and Third-Party Counterclaim Defendant  
Global Engineering & Construction Joint  
Venture

United States of America for the Use of Babtex, Inc., dba Oslin Nation Company vs. Global Engineering & Construction Joint Venture, et al.; Civil No. CV02-00691 SOM-KSC: **STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE AS TO PLAINTIFF'S COMPLAINT AGAINST DEFENDANTS GLOBAL ENGINEERING & CONSTRUCTION JOINT VENTURE, GLOBAL ENGINEERING & CONSTRUCTION, INC., BANKERS INSURANCE COMPANY AND OneBEACON INSURANCE COMPANY, f/k/a CGU INSURANCE COMPANY, and ORDER**



ROY T. OGAWA  
KEITH Y. YAMADA  
Attorneys for Third-Party Defendants  
Lloyd Electric Co., Inc., dba  
Lloyd Electric; Robert E. Lloyd, Sr.  
and Mona Renea Lloyd  
and Third-Party Counterclaimant  
Lloyd Electric co., Inc., dba Lloyd Electric

APPROVED AND SO ORDERED:



Judge  
United States District Court (Haw.)

APR 25 2003

United States of America for the Use of Babtex, Inc., dba Oslin Nation Company vs. Global Engineering & Construction Joint Venture, et al.; Civil No. CV02-00691 SOM-KSC: **STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE AS TO PLAINTIFF'S COMPLAINT AGAINST DEFENDANTS GLOBAL ENGINEERING & CONSTRUCTION JOINT VENTURE, GLOBAL ENGINEERING & CONSTRUCTION, INC., BANKERS INSURANCE COMPANY AND OneBEACON INSURANCE COMPANY, f/k/a CGU INSURANCE COMPANY, and ORDER**